

12-17-01 A

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PTO/SB/05 (11-00)

Approved for use through 10/31/2002 OMB 0651-0032

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.	Implex-18
First Inventor	Robie et al.
Title	Instrument and System for Preparing the Disc Space Between ...
Express Mail Label No.	EV043786139US

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original, and a duplicate for fee processing)
2. Applicant claims small entity status.
See 37 CFR 1.27.
3. Specification [Total Pages **19**]
 - Descriptive title of the invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. Drawing(s) (35 U.S.C. 113) [Total Sheets **4**]
5. Oath or Declaration [Total Pages **4**]
 - a. Newly executed (original or copy)
 - b. Copy from a prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 18 completed)
 - i. **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b)
6. Application Data Sheet. See 37 CFR 1.76

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

 Continuation Divisional Continuation-in-part (CIP) of prior application No.: _____ / _____

Prior application information: Examiner _____ Group / Art Unit _____

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

 Customer Number or Bar Code Labelor Correspondence address below

(Insert Customer Number or Bar Code Label here)

Name	28581		
	PATENT TRADEMARK OFFICE		
Address			
City	State	Zip Code	
Country	Telephone	Fax	

Name (Print/Type) **Paul A. Schwarz**Registration No. (Attorney/Agent) **37,577**Signature Date **December 13, 2001**

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

J1036 U.S. PTO
J1036 U.S. PTO
12/13/01

12/13/01

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FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT **\$632.00***Complete if Known*

Application Number	Herewith
Filing Date	Herewith
First Named Inventor	Robie et al.
Examiner Name	TBA
Group Art Unit	TBA
Attorney Docket No.	Implex-18

METHOD OF PAYMENT

1. The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number **04-1679**

Deposit Account Name

Charge Any Additional Fee Required Under 37 CFR §§ 1.16 and 1.17

Applicant claims small entity status. See 37 CFR § 1.27

2. Payment Enclosed:

Check Credit card Money Order Other

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
105	130	205	65 Surcharge - late filing fee or oath
127	50	227	25 Surcharge - late provisional filing fee or cover sheet
139	130	139	130 Non - English specification
147	2,520	147	2,520 For filing a request for <i>ex parte</i> reexamination
112	920*	112	920* Requesting publication of SIR prior to Examiner action
113	1,840*	113	1,840* Requesting publication of SIR after Examiner action
115	110	215	55 Extension for reply within first month
116	400	216	200 Extension for reply within second month
117	920	217	460 Extension for reply within third month
118	1,440	218	720 Extension for reply within fourth month
128	1,960	228	980 Extension for reply within fifth month
119	320	219	160 Notice of Appeal
120	320	220	160 Filing a brief in support of an appeal
121	280	221	140 Request for oral hearing
138	1,510	138	1,510 Petition to institute a public use proceeding
140	110	240	55 Petition to revive - unavoidable
141	1,280	241	640 Petition to revive - unintentional
142	1,280	242	640 Utility issue fee (or reissue)
143	460	243	230 Design issue fee
144	620	244	310 Plant issue fee
122	130	122	130 Petitions to the Commissioner
123	50	123	50 Processing fee under 37 CFR § 1.17(q)
126	180	126	180 Submission of Information Disclosure Statement
581	40	581	40 Recording each patent assignment per property (times number of properties) 40.00
146	740	246	370 Filing a submission after final rejection (37 CFR § 1.129(a))
149	740	249	370 For each additional invention to be examined (37 CFR § 1.129(b))
179	740	279	370 Request for Continued Examination (RCE)
169	900	169	900 Request for expedited examination of a design application
Other fee (specify) _____			

FEE CALCULATION**1. BASIC FILING FEE**

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
101	740	201	370 Utility filing fee 370.00
106	330	206	165 Design filing fee
107	510	207	255 Plant filing fee
108	740	208	370 Reissue filing fee
114	160	214	80 Provisional filing fee
SUBTOTAL (1)		\$370.00	

2. EXTRA CLAIM FEES

Extra Claims	Fee from below	Fee Paid
Total Claims 40	$20 \times 9.00 =$	180.00
Independent Claims 4	$1 \times 42.00 =$	42.00
Multiple Dependent		

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description	
103	18	203	9 Claims in excess of 20
102	84	202	42 Independent claims in excess of 3
104	280	204	140 Multiple dependent claim, if not paid
109	84	209	42 ** Reissue independent claims over original patent
110	18	210	9 ** Reissue claims in excess of 20 and over original patent
SUBTOTAL (2)		\$222.00	

**or number previously paid, if greater; For Reissues, see above

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

\$40.00**SUBMITTED BY***Complete (if applicable)*

Name (Print/Type)	Paul A. Schwarz	Registration No. (Attorney/Agent)	37,577	Telephone	609-919-4408
Signature			Date	December 13, 2001	

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"EXPRESS MAIL CERTIFICATE"

"Express Mail" mailing label number: EV043786139US

Date of Deposit: December 13, 2001

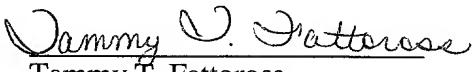
Title of Invention: INSTRUMENT AND SYSTEM FOR PREPARING THE DISC SPACE BETWEEN TWO VERTEBRAL BODIES

Inventors: ROBIE, Bruce; ZUBOK, Rafael; BLOUIN, Felix

Type of Documents:

1. Utility Patent Application Transmittal;
2. Fee Transmittal;
3. Utility Patent Application consisting of 10 pages of specification, 8 pages of claims, 1 page of Abstract, and 4 pages drawings;
4. Declaration and Power of Attorney (executed);
5. Information Disclosure Statement;
6. PTO – Form 1449;
7. IDS References;
8. Assignment;
9. Assignment Recordation
10. Acknowledgment Postcard; and,
11. "Express Mail" Certificate.

I hereby certify that this paper and fee are being deposited with the United States Postal Service's "Express Mail Post Office to Addressee" service under 37 CFR §1.10 on the date indicated above and is addressed to Assistant Commissioner for Patents, "Box Application," U.S. Patent and Trademark Office, P.O. Box 2327, Arlington, Virginia 22202.


Tammy T. Fattoross